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From the INTERNATIONAL BUREAU

NOTIFICATION CONCERNING
TRANSMITTAL OF COPY OF INTERNATIONAL
PRELIMINARY REPORT ON PATENTABILITY
(CHAPTER I OF THE PATENT COOPERATION
TREATY)
(PCT Rule 44bis.1(c))

To:

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ETATS-UNIS D'AMERIQUE

Date of mailing (*day/month/year*)
09 March 2006 (09.03.2006)

Applicant's or agent's file reference
U02-0208.88

IMPORTANT NOTICE

International application No.
PCT/IB2004/001354

International filing date (*day/month/year*)
19 April 2004 (19.04.2004)

Priority date (*day/month/year*)
29 August 2003 (29.08.2003)

Applicant

SONY ERICSSON MOBILE COMMUNICATIONS AB et al

The International Bureau transmits herewith a copy of the international preliminary report on patentability (Chapter I of the Patent Cooperation Treaty)

The International Bureau of WIPO
34, chemin des Colombettes
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Authorized officer

Idhir Britel

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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference U02-0208.88	FOR FURTHER ACTION		See item 4 below
International application No. PCT/IB2004/001354	International filing date (<i>day/month/year</i>) 19 April 2004 (19.04.2004)	Priority date (<i>day/month/year</i>) 29 August 2003 (29.08.2003)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant SONY ERICSSON MOBILE COMMUNICATIONS AB			

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 8 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input checked="" type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input checked="" type="checkbox"/> | Box No. VI | Certain documents cited |
| <input checked="" type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input checked="" type="checkbox"/> | Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 740 14 35		Date of issuance of this report 28 February 2006 (28.02.2006)
Authorized officer Idhir Britel		Telephone No. +41 22 338 70 60

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

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20 SEP 2004

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To:

see form PCT/ISA/220

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/B2004/001354

International filing date (day/month/year)
19.04.2004

Priority date (day/month/year)
29.08.2003

International Patent Classification (IPC) or both national classification and IPC
H04M1/725, H04Q7/32, H04M3/42

Applicant
SONY ERICSSON MOBILE COMMUNICATIONS AB

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1 (a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☒ Box No. VI Certain documents cited
- ☒ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/IB2004/001354

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material:
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing:
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/B2004/001354

Box No. II Priority

1. ☒ The following document has not been furnished:

☒ copy of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	5,13,18-23
	No: Claims	1-4,6-12,14-17
Inventive step (IS)	Yes: Claims	14,22
	No: Claims	1-13,15-21,23
Industrial applicability (IA)	Yes: Claims	1-23
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VI Certain documents cited

1. Certain published documents (Rules 43*bis*.1 and 70.10)

and / or

2. Non-written disclosures (Rules 43*bis*.1 and 70.9)

see form 210

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

The following documents are referred to in this communication:

- D1:** EP-A-1 246 428 (NOKIA CORP) 2 October 2002 (2002-10-02)
D2: US-A-5 794 142 (ALANARA SEPPO ET AL) 11 August 1998 (1998-08-11)
D3: US 2003/143952 A1 (HAPARNAS ZIV ET AL) 31 July 2003 (2003-07-31)

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of independent method claim 1 is not new in the sense of Article 33(2) PCT.

Document D1 discloses (the references in parenthesis applying to this document):

A method of registering a licensed module (col.3, lines 50-54) in a mobile device (ref.31), comprising:
detecting the licensed module being initially accessed by a user of the mobile device (col.9, lines 8-12);
collecting module parameters comprising at least a module identifier (col.9, lines 12-14);
assembling a registration message comprising at least the module identifier (col.9, lines 12-14); and
sending the registration message from the mobile device to a module activation system (ref.21) corresponding to a destination address stored in the mobile device (col.2, lines 42-50, col.4, lines 38-51, col.9, lines 8-12).

The subject-matter of independent method claim 1 is not new (Article 33(2) PCT).

Furthermore, document D2 also discloses all the features of claim 1 (see D2, col.5, line 62-col.6, line 40).

- 1.1 The same reasoning applies, mutatis mutandis, to the subject-matter of the corresponding independent apparatus claim 8 which is therefore considered not new.
2. The present application does not meet the criteria of Article 33(1) PCT, because the

subject-matter of independent system claim 18 does not involve an inventive step in the sense of Article 33(3) PCT.

The document D1 is regarded as being the closest prior art to the subject-matter of claim 18 and discloses (the references in parentheses applying to this document) an activation system for licensed modules in mobile devices (ref.31) comprising a network interface (ref.21) operable to receive registration messages from a telecommunication network (ref.42); and a data repository (ref.31) operable to store module parameters received in the registration messages (col.6, lines 50-53), the module parameters comprising module identifiers, so that account of active licensed modules can be maintained (col.9, lines 8-16).

The subject-matter of claim 18 therefore differs in that the module parameters received in the registration messages further comprise time parameters. This feature is well-known in the art and comes within the scope of the customary practice followed by persons skilled in the art, especially as the advantages thus achieved can readily be foreseen. For instance, a similar document D3, discloses a billing system wherein the mobile devices using licensed modules send time parameters to a data repository (see D3, paragraphs [47]-[55]).

Consequently, the subject-matter of claim 18 lacks an inventive step.

3. Dependent claims 2-7, 9-12, 14-17, 19-21 and 23 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step, see documents **D1-D3** and the corresponding passages cited in the search report.
4. The combination of the features of dependent claims 13 and 22 is neither known from, nor rendered obvious by, the available prior art.
5. The subject-matter of claims 1-23 relates to the use of licensed modules in mobile devices and has an industrial application.

Re Item VI

Certain published documents

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/IB2004/001354

Application No Patent No	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
US 2003/224823	04/12/2003	30/05/2002	30/05/2002

Re Item VII

Certain defects in the international application

1. Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the documents D1 and D2 is not mentioned in the description, nor are these documents identified therein.
2. Independent claims 1, 8, and 18 are not in the two-part form in accordance with Rule 6.3(b) PCT.

Re Item VIII

Certain observations on the international application

1. The application does not meet the requirements of Article 6 PCT, because claim 1 is not clear. The wording "a method of **registering a licensed module**" used in this claim is vague and unclear and leaves the reader in doubt as to the meaning of the technical features to which it refers, thereby rendering the definition of the subject-matter of said claim unclear, Article 6 PCT.